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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/189,250	11/10/1998	KELAN C. SILVESTER	INTL-0154-US	5294

7590 08/25/2004

TIMOTHY N TROP
TROP PRUNER HU & MILES
8554 KATY FREEWAY STE 100
HOUSTON, TX 77024

EXAMINER

HOOSAIN, ALLAN

ART UNIT	PAPER NUMBER
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2645

26

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/189,250

Applicant(s)

SILVESTER, KELAN C.

Examiner

Allan Hoosain

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 26-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kanevsky et al.** (US 6,219,407) in view of **Cooper et al.** (US 6,052,442).

As to Claim 26, with respect to Figures 1-3, **Kanevsky** teaches a method comprising:

identifying a speaker or caller (information about the source of a voice message) (Col. 4, lines 11-15, 47-52);

selecting a telephone number or name (portion) of said voice message (Col. 4, lines 47-51 and Col. 6, lines 17-30);

converting said portion of said voice message to text (Col. 6, lines 1-6);

exporting said portion and said source information into a graphical user interface that displays a telephone call (log of telephone calls) including the source information and information about the caller's request (subject matter) of the voice message (Col. 7, lines 10-22);
and

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displaying said portion in said graphical user interface including displaying the source of said voice message using said portion to indicate information about the caller's request (subject matter) of the voice message;

Kanevsky does not teach the following limitation:

“log of telephone calls”

However, it is obvious that **Kanevsky** suggests the limitation. This is because **Kanevsky** teaches a user has a database with a list of callers who can leave messages (Col. 3, lines 34-37). **Cooper** teaches updating a displaying (a log of telephone calls) as they are received (Figure 4). Since **Kanevsky** and **Cooper** are in analogous art which display received messages at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add update message display capability to **Kanevsky**'s invention for displaying received messages as taught by **Cooper**'s invention in order to provide a user with information on missed calls.

As to Claims 27,38, **Kanevsky** teaches the method of claim 26 wherein identifying information about the source of a voice message includes using a comparator or caller identity store (caller identification device) (Col. 7, lines 23-34 and Col. 5, lines 6-12).

As to Claims 28,33, **Kanevsky** teaches the method of claim 26 wherein selecting a portion of said message includes selecting the initial portion of said message of a size sufficient to fit within an available field within said graphical user interface (Figure 2, label 201A).

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As to claims 29,34, **Kanevsky** teaches the method of claim 26 wherein exporting said portion and said source information into a graphical user interface includes exporting said portion and said source information in a fashion that the portion may be provided under a heading indicating the source of the telephone call and said portion is displayed under a heading that indicates the read message (subject matter) of the telephone call (Figure 2).

As to Claims 30-31,35-36, **Kanevsky** teaches the method of claim 28 including exporting said portion and said source information into a graphical user interface:

Kanevsky does not teach the following limitation:

“that also lists received e-mail messages”

Kanevsky teaches a user has a database with a list of callers who can leave messages operating on a PBX system (Col. 3, lines 34-37,53-60). **Cooper** teaches updating a display (a log of telephone calls) as they are received that comprises e-mails and which can be performed on a PBX system (Figure 4 and Col. 3, lines 53-57). Since **Kanevsky** and **Cooper** are in analogous art which display received messages at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add update e-mail message display capability to **Kanevsky**'s invention for displaying received e-mail messages as taught by **Cooper**'s invention in order to provide a user with information on missed calls.

As to claims 32, 37, with respect to Figures 1-3, **Kanevsky** teaches an article comprising a medium storing instructions that, if executed, enable a processor-based system to:

identify information about the source of a voice message (Col. 4, lines 11-15, 47-52);

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select a portion of said voice message (Col. 4, lines 47-51 and Col. 6, lines 17-30);

convert said portion to text (Col. 6, lines 1-6);

export said portion and said source information into a graphical user interface that displays a telephone call (log of telephone calls) including the source information and information about the subject matter of the voice message (Col. 7, lines 10-22); and

display said portion in said graphical user interface including the source of said voice message and using said portion to indicate information about the subject matter of said voice message

Kanevsky does not teach the following limitation:

“display a log of telephone calls”

However, it is obvious that **Kanevsky** suggests the limitation. This is because **Kanevsky** teaches a user has a database with a list of callers who can leave messages (Col. 3, lines 34-37). **Cooper** teaches updating a displaying (a log of telephone calls) as they are received (Figure 4). Since **Kanevsky** and **Cooper** are in analogous art which display received messages at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add update message display capability to **Kanevsky**'s invention for displaying received messages as taught by **Cooper**'s invention in order to provide a user with information on missed calls.

Response to Arguments

3. Applicant's arguments with respect to claims 26-38 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rochkind (US 5,848,130) teaches identifying telephone numbers in voice messages.

Murveit et al. (US 6,570,964) teach searching voice messages for predetermined grammars.

Hirschberg et al. (US 2003/0128820) teaches converting and displaying portions of voice messages.

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231
or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

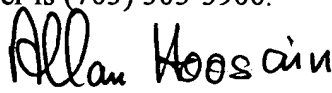
(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.


Allan Hoosain
Primary Examiner
8/17/04